

Notice of Allowability

Application No.

09/892,923

Examiner

Brian Goddard

Applicant(s)

O'ROURKE ET AL.

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 07 January 2005.
2. ☒ The allowed claim(s) is/are 1-44.
3. ☒ The drawings filed on 26 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 1/3/05 & 1/14/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


SAFET METJAHIC

SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2100
Part of Paper No./Mail Date 20050510

Allowable Subject Matter

1. The following is an examiner's statement of reasons for allowance:

Rehm does not disclose or suggest "a plurality of translators that translate playlists from a plurality of different non-canonical formats to a canonical playlist format" and "calling, by a computing device, one of the translators to translate the first playlist into the canonical playlist format, forming a second playlist in the canonical playlist format" as required by independent claim 1. Detailed reasons are found in Applicants' Remarks/Arguments on pages 14-28 of the Amendment filed 07 January 2005, which are hereby incorporated by reference.

None of the prior art of record, taken alone or in combination, provides sufficient disclosure to teach or suggest the claimed steps of "providing, by a computing device, a plurality of translators that translate playlists from a plurality of different non-canonical formats to a canonical playlist format" and "calling, by a computing device, one of the translators to translate the first playlist into the canonical playlist format, forming a second playlist in the canonical playlist format" in combination with the remaining steps of the method for managing streaming media content in claim 1. The other independent claims recite similar features which are not taught or suggested by the prior art of record.

Further, it is noted that the language of claim 1 (for example) sets forth scope in which each of the claimed steps is potentially performed by a separate and distinct computing device ("by a computing device") from each of the other claimed steps. It is also possible that each step is performed by the same computing device, or any

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combination of 1-4 computing devices for that matter. The examiner has considered this scope in light of the written description and enablement requirements of 35 U.S.C. § 112, first paragraph, and determined the scope of the claims to be sufficiently described and enabled for one of skill in the art, based at least in part on the specification at page 10.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Goddard whose telephone number is 571-272-4020. The examiner can normally be reached on M-F, 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bdg
10 May 2005


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100